

FAUQUIER COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
THIRD FLOOR — COURT AND OFFICE BUILDING
40 CULPEPER STREET

WARRENTON, VIRGINIA 20186

(540) 347-8660

FAX (540) 341-3444

PLANNING
(540) 347-8703

COUNTY ENGINEER
COUNTY SOIL SCIENTIST
(540) 347-8660

ZONING ADMINISTRATION
(540) 347-8789

BUILDING
AND ZONING PERMITS
(540) 347-8646
(540) 347-8647
(540) 347-8674
FAX (540) 347-2043

January 2, 2003

Mr. John H. Foote
Walsh, Colucci, Lubeley, Emrich & Terpak PC
9324 West Street, Suite 300
Manassas, VA 20110-5198

Dear Mr. Foote:

In response to your request for a Zoning Administrator's opinion on permitted open space uses, specifically the placement of drainfields for a private community sewage treatment facility on land designated as open space. I have reviewed the requirements for open space as set forth in the Fauquier County Zoning and Subdivision Ordinances.

The use of open space for the location of subsurface drainfields does not violate the standards set forth in the Zoning and Subdivision Ordinances, when applied to the example presented in your letter of December 6, 2002.

I hereby determine the placement of subsurface drainfields associated with a private community sewage treatment system may be placed upon land designated as open space for the particular development. Such a use is consistent with the open space requirements as found in Sections 2-309 and 2-406 of the Fauquier County Zoning Ordinance. Only the drainfield area may be placed on land to be delineated as open space. The structures associated with the treatment plant shall be located upon a separate and discreet parcel and may not be constructed on land designated as open space.

The *Code of Virginia* requires that I inform you that decisions of the Zoning Administrator are final decisions, and must be appealed to the Board of Zoning Appeals within 30 days. If not appealed, you lose the right to appeal.

If you have any questions, please contact me.

Sincerely,



Frederick P.D. Carl, AICP

Exhibit B